

**Due to Executive Order N-25-20 Members of the Council may
Teleconference into this meeting**



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING – CLOSED SESSION
MONDAY, APRIL 27, 2020. 5:00 P.M.
MINUTES**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 (superseding the Brown Act-related provisions of Executive Order N-25-20 issued on March 12, 2020), which allows a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electrically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that member of the Bell Gardens City Council will participate in meeting telephonically. The public may view the meeting online. The Council Chamber is closed to the public at this time.

ACCESSIBILITY: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid, or service by contacting Jane Halstead, City Clerk by telephone at 562-806-7705 or via email to CityClerkDesk@bellgardens.org no later than (1) hour before the scheduled meeting.

CALL TO ORDER – Mayor Cortez called the meeting to order at 5:11 p.m.

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Council Members Aceituno, Barcena; Mayor Pro Tem Flores; Mayor Cortez
All Council Members participated telephonically, while Mayor Cortez was present in the Council Chamber.

Absent: None

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

Mayor Cortez opened the public comment period. There were no speakers. Mayor Cortez closed the public comment period and asked the City Attorney to announce the Closed Session Items. City Attorney Rick Olivarez announced that the Council would recess to discuss the two items posted on the agenda. The Council then recessed to the Council Conference Room (see page 2 for report on Closed Session) at 5:15 p.m. to discuss the following matters:

CLOSED SESSION: (Items No. 1-2)

1. **CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT
CODE SECTION 54957.6.**

City-designated representative: Michael B. O'Kelly, City Manager; Will Kaholokula,
Director of Finance and Administrative Services

Employee Organization: City Employees Association, Public Works Employees
Association, Police Officers Association, Public Works Supervisors Association, and
Police Management Association .

2. **CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE
SECTION 54956.9(d)(1) - EXISTING LITIGATION**

City of Bell Gardens vs. Bell Gardens Hospitality Case No. 20STCV15440

Closed Session adjourned at 5:34 p.m.

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CALL TO ORDER – Mayor Cortez called the meeting to order at 6:13 p.m.

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Council Members Aceituno, Barcena; Mayor Pro Tem Flores; Mayor Cortez
All Council Members participated telephonically, while Mayor Cortez was present in the Council Chamber.

Absent: None

CLOSED SESSION REPORT

City Attorney Rick R. Olivarez stated that the City Council met in closed session to discuss Items No. 1-2 as posted on the closed session agenda. He stated that with respect to Items No. 1-2, the City Council received briefings with no final action taken.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

No Comments.

CITY MANAGER REPORT

City Manager, Michael O'Kelly thanked staff for their continued efforts during the COVID-19 crisis. He stated that there were issues going on with the Quality Inn and other issues related to school being out.

CONSENT CALENDAR (Items No. 1-7)

A motion was made by Mayor Cortez, and seconded by Council Member Barcena, to approve the Consent Calendar Items 1-7.

The motion carried 4-0 with the following vote.

AYES: Council Members Aceituno, Barcena; Mayor Pro Tem Flores
NOES: None
ABSENT: None
ABSTAIN: None

1. **GENERAL MOTION TO WAIVE FULL READING AND APPROVE ORDINANCES BY TITLE ONLY PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 36934**

In order to expedite the conduct of business at City Council meetings, California State Law (California Government Code Section 36934) allows Ordinances to be read by title if a majority of the legislative body supports the motion to waive the full reading.

Recommendation: It is staff recommendation that the City Council approve a general motion to waive full reading and approve Ordinances by title only pursuant to California Government Code Section 36934.

2. **WARRANT REGISTERS AND WIRE TRANSFERS**

In approving the action of receiving and filing the warrant registers, the official minutes of the Bell Gardens City Council should state that each individual member of the City Council is not voting on, influencing the outcome of, or participating in approving, accepting, receiving or filing any warrant which bears the name of the same council member, or pays for any costs or expenses, or otherwise benefits the same named council member. Each council member will not be participating, influencing or voting on any such warrant bearing their name or which benefits the same named council member, but with that exception is voting in favor of receiving and filing all other warrants contained in this report, unless otherwise noted on the record at the time of the approval of the action required by this report.

Recommendation:

It is staff recommendation that the City Council receive and file the warrant registers, wire transfers, and net payrolls dated 03/10/20, 03/12/20, 03/17/20, 03/24/20, 03/26/20, 03/31/20 and 04/07/20.

3. **APPROVE MINUTES OF THE APRIL 9, 2020 CITY COUNCIL SPECIAL MEETING**

April 9, 2020 - Special City Council Meeting Minutes

Recommendation:

It is staff's recommendation that the City Council approve the attached minutes.

4. **APPROVE MINUTES OF THE APRIL 13, 2020 CITY COUNCIL REGULAR MEETING**

April 13, 2020 - Closed Session and Regular City Council Meeting Minutes

Recommendation:

It is staff's recommendation that the City Council approve the attached minutes.

5. **APPROVE MINUTES OF THE APRIL 22, 2020 SPECIAL MEETING - CLOSED SESSION**

April 22, 2020 - Special Meeting - Closed Session Minutes

Recommendation:

It is staff recommendation that the City Council approve the attached minutes.

6. **APPROVING A LIST OF PROJECTS FOR FISCAL YEAR 2020-2021 FUNDING BY SENATE BILL 1 (SB1) THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

On April 28, 2017, the Governor signed Senate Bill 1 (SB1) Road Repair and Accountability Act of 2017 and established a Road Maintenance and Rehabilitation Account (RMRA). A portion of these funds are distributed on a monthly basis to cities for basic road maintenance, rehabilitation and critical safety projects on local streets. It is estimated that the City will receive \$1,217,651 in FY 2020-2021 in RMRA funds. In order to receive these funds each City must adopt a resolution and submit a list of proposed street repairs to California Transportation Commission (CTC) before the deadline of May 1, 2020.

Recommendation:

It is staff's recommendation that the City Council by motion;

- a. Adopt the attached Resolution approving the Fiscal Year 2020-2021 project list for Senate Bill 1 (SB1), the Road Repair and Accountability Act of 2017; and
- b. Authorize staff to upload the Resolution with the list of streets to the California Transportation Commission (CTC) website.

7. **ONE-YEAR EXTENSION TO COMMERCIAL SOLID WASTE NON- EXCLUSIVE FRANCHISE AGREEMENTS**

In 2015, City Council adopted Resolution 2015-44, which awarded five year Commercial Solid Waste Non-Exclusive Franchise Agreements to nine (9) commercial waste haulers. The Agreements are due to expire June 30, 2020. In September 2016, Governor Brown signed SB 1383, establishing targets to achieve a 50 percent reduction in the level of statewide disposal of organic waste. The final regulations are to be completed by July 1, 2020. Extending these non- exclusive agreements by one-year will allow the City to incorporate SB 1383 requirements into the agreements which can be fulfilled by the haulers on behalf of the City.

Recommendation:

It is staff's recommendation that the City Council by motion:

1. Approve the attached amendment extending the Commercial Solid Waste Non-Exclusive Franchise Agreements by one-year to June 30, 2021;
2. Adopt the attached Resolution.

DISCUSSION (Items No. 8-9)

8. MOU FOR REIMBURSEMENT OF MEAL PROGRAM

Recreation and Community Services Department seeks approval of a Memorandum of Understanding between the City and Empowered 4 Life, Inc. for the Supper Meal Program.

Recommendation:

It is staff's recommendation that the City Council, by motion, approve the attached Memorandum of Understanding and adopt the attached resolution.

City Manager, Mike O'Kelly announced the item. He reported that Recreation and Community Services Director, Rosanne Adanto was able to mobilize and get the meal partnering with Empowered for Life to provide meals for children 1-18 years of age at three locations within the city; Neighborhood Youth Center, John Anson Ford Park and Bell Gardens Veterans Park. The Director was able to negotiate a MOU meal program year around on a Monday through Friday basis.

A motion was made by Mayor Cortez, and seconded by Mayor Pro Tem Flores, to approve the Memorandum of Understanding between the City and Empowered 4 Life, Inc. for the Supper Meal Program and adopt Resolution No. 2020-30.

The motion carried 4-0 with the following vote.

AYES: Council Members Aceituno, Barcena; Mayor Pro Tem Flores
NOES: None
ABSENT: None
ABSTAIN: None

9. URGENCY ORDINANCE ENACTING A TEMPORARY MORATORIUM ON PROPERTY CONVERSION/UTILIZATION FOR COVID-19 QUARANTINE FACILITIES AND OTHER RELATED EFFORTS

Urgency Ordinance No. 905 establishing a temporary moratorium on the conversion and/or utilization of hotels, motels, facilities, and/or or other residential or commercial properties into quarantine/isolation facilities and other related efforts until May 31, 2020.

Recommendation:

It is staff's recommendation that the City Council adopt Urgency Ordinance No. 905 establishing a temporary moratorium on the conversion and/or utilization of hotels, motels, and/or or other residential or commercial properties into quarantine/isolation facilities and other related efforts as well as COVID-19 related testing sites, until May 31, 2020 with the ability to extend further.

City Manager, Mike O'Kelly announced the item. He stated that an Urgency Ordinance is being presented to ensure proper measures are in place due to the counties having contracted with hotels and motels to establish temporary COVID-19 quarantine facilities. The City had not been notified prior to the facilities being approved.

Mayor Pro Tem Flores commented that by introducing this policy it would protect the current and future quality of life of residents.

Closed Session and Regular City Council Meeting
Minutes

A motion was made by Mayor Cortez, and seconded by Mayor Pro Tem Flores, to adopt Urgency Ordinance No. 905 establishing a temporary moratorium on the conversion and/or utilization of hotels, motels, and/or or other residential or commercial properties into quarantine/isolation facilities and other related efforts as well as COVID-19 related testing sites, until May 31, 2020 with the ability to extend further.

The motion carried 4-0 with the following vote.

AYES: Council Members Aceituno, Barcena; Mayor Pro Tem Flores
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC COMMENTS ON NON-AGENDA ITEMS UNDER THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL

There were no members of the public that requested to participate during this portion of the agenda. One email was received from Rosa Mercado and was read by the Mayor.

Ms. Mercado commented that she would like the City Council to do an on-line celebration for Bell Gardens seniors.

Mayor Cortez commented that Council Member Barcena is working on a project for graduating seniors and college students.

CITY COUNCIL MEMBER COMMENTS

Council Member Aceituno made no comments.

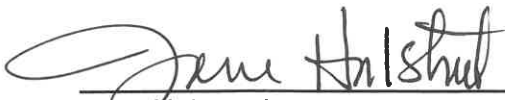
Council Member Barcena made no comments.

Mayor Pro Tem Flores thanked Code Enforcement, Community Development Director Gus Romo, Chief Fairfield, Chau Vu, Public Works Director, her staff, and all departments. She also commended City Manager, Michael O'Kelley on his communication with the City Council. The Council is there to serve the residents every day. She also thanked Recreation and Community Services Director Rozanne Adanto for her work in providing meals for the children. Thanks to everybody.

Mayor Cortez thanked staff for everything that is done. She also reminded the residents that there is a Supper Program that started today. She thanked Recreation and Community Services Director Rozanne Adanto for spearheading the meal program project.

Mayor Cortez also added that she and Council Member Aceituno were working on a food pantry project; and working with family members that are having a difficult time.

ADJOURNMENT – Mayor Cortez adjourned the City Council meeting at 6:31 p.m.


Jane Halstead
City Clerk

